

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

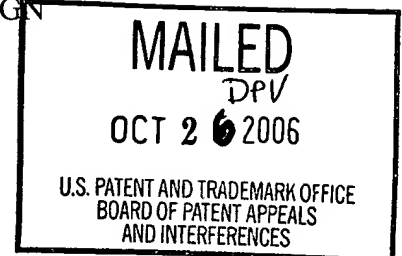
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Ex parte: JALALUDEEN CA and NANDAKUMAR GN

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Application No. 09/876,568

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received at the Board of Patent Appeals and Interferences on October 12, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

**EXAMINER'S ANSWER**

**Evidence of Record**

On May 3, 2006, an Examiner's Answer was mailed in response to the Appeal Brief received February 16, 2006. A review of the Examiner's Answer reveals that it is not in compliance with the Manual of Patent Examining Procedure (MPEP). The Examiner failed to

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identify all the "Evidence Relied Upon" (section 8), as required, including the Thurrott reference relied upon in the rejections of the claims. In accordance with MPEP § 1207.02, the "Evidence Relied Upon" (section 8) should include:

(8) Evidence Relied Upon

A listing of evidence relied on (e.g., patents, publications, admitted prior art), and in the case of non-patent references, the relevant page or pages.

Correction of the record is required.

CONCLUSION

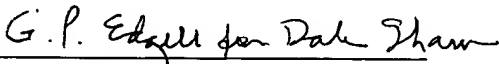
Accordingly, it is

**ORDERED** that the application is returned to the examiner for:

1) issuing a revised Examiner's Answer to include the all of the prior art citations relied upon in the rejections of the claims, as set forth under MPEP § 12.07.02; and

2) any further action as deemed appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

  
DALE M. SHAW  
Deputy Chief Appeals Administrator  
(571) 272-9797

DMS/dpv

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Kevin M. Mason  
Ryan, Mason & Lewis, LLP  
Suite 205  
1300 Post Office Road  
Fairfield, CT 06430